

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN COUNCIL OF THE BLIND OF NEW YORK,
INC., *et al.*,

Plaintiffs,

-v-

CITY OF NEW YORK, *et al.*,

Defendants.

18 Civ. 5792 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has reviewed the annual report of Independent Monitor Andrew W. Schilling, summarizing the progress made by New York City during 2023 in implementing the remedial order the Court entered in this important litigation under the Americans with Disabilities Act of 1990 and related state statutes. Dkt. 267 (“Report”). The Court thanks the Independent Monitor for such a detailed, thoughtful, and perceptive Report, and for his dedicated service.

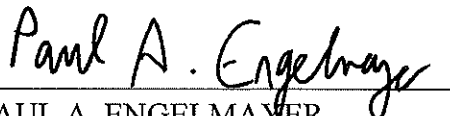
The Court also wishes to commend the City’s Department of Transportation (“DOT”) on the extraordinary progress it has made during 2022 and 2023 in installing accessible pedestrian signals (“APS”) at intersections throughout the City. The Report reflects that in 2022, DOT installed APS at 502 intersections; and that in 2023, DOT installed APS at 867 intersections. Report at 3. The 1,369 APS installations during the first two years of the remedial plan far exceed the sum (900 APS) of the installation targets that the Court’s remedial order had set for these two years (400 and 500 APS, respectively). New York City’s pedestrian grid is safer today as a result of DOT’s work to implement—and to go above and beyond the pace of installation required by—the remedial plan. As the Report notes, there now more than 2,320 signalized

intersections in the City equipped APS, representing about 17% of all signalized intersections.

Id.

At the same time, the Report reflects concerns there, as to some installations, there has been non-compliance with regulatory requirements, and/or inadequate maintenance. See Report at 33–80. The Court is interested in the City’s response to these concerns. The Court directs the City to submit such a response by April 10, 2024.¹

SO ORDERED.


PAUL A. ENGELMAYER
United States District Judge

Dated: March 12, 2024
New York, New York

¹ The Court had intended to give the City two weeks to respond to this Order. In the course of the Court’s preparation of this Order, counsel for the City, coincidentally, filed a letter seeking until April 10, 2024 to respond. Dkt. 269. The Court grants this request. The City’s letter also reports that plaintiffs’ counsel seeks an opportunity to respond to the City’s response. *Id.* Although it is not clear that plaintiffs’ counsel will have additional factual information to bring to bear beyond that reported by the Monitor, the Court grants this request and will permit (but does not require) such a response. Any response from plaintiffs must be submitted by April 24, 2024. Such will enable the Court promptly to take account of all parties’ views and to issue such order(s) as it determines are appropriate.